



01-13-06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : August, et al.

TITLE : **A METHOD AND APPARATUS FOR
INTERACTIVE LANGUAGE
INSTRUCTION**

APPLICATION NO. : 09/392,844

FILED : September 9, 1999

CONFIRMATION NO. : 1882

EXAMINER : Martin Lerner

ART UNIT : 2654

LAST OFFICE ACTION : July 13, 2005

ATTORNEY DOCKET NO. : LUTZ 2 00030-1
Case Name/No.
August 25-1-7-8-1-2-2-4

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **July 13, 2005** finally rejecting claims 1-14, 20, 23 and 24. An After Final Amendment and Response to Examiner's Action was filed on January 4, 2006. A Pre-Appeal Brief Request for Review is being filed herewith.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

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500.00 DP

3. **EXTENSION OF TERM**

☒ A Petition for a three-month extension of time under 37 C.F.R. §1.136(a) up to and including January 13, 2006 was filed and paid for with previously filed Amendment 2 (After R.C.E.)(After Final).

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee:	\$500.00
Extension of Time Fee:	\$.00

5. **METHOD OF PAYMENT**

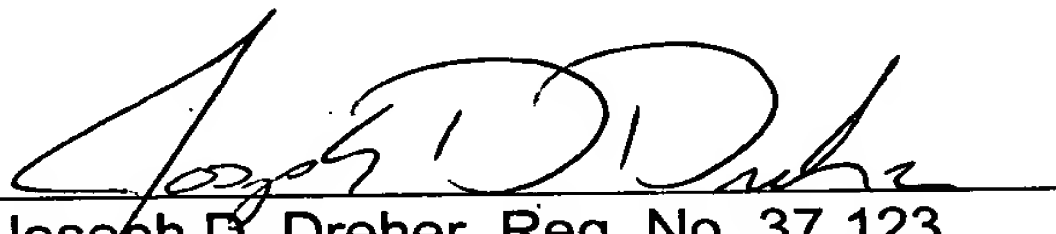
☒ The fees indicated above are authorized to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this purpose. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

No additional fee is believed due however, if this is not the case, the Commissioner is hereby authorized to charge any and all fees to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

January 12, 2006
Date


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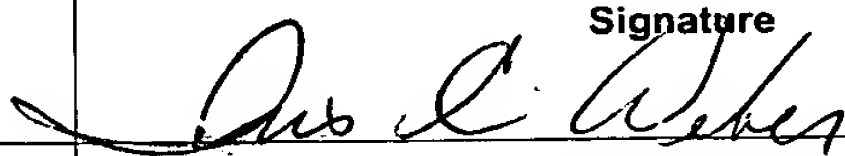
CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.

☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.: EV 690737583 US	Signature 
Date January 12, 2006	Printed Name Iris E Weber